



WASHOE COUNTY

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CM/ACM 

Finance DN

DA ✓

Risk Mgt. De

HR N/A

Comptroller MS

STAFF REPORT

BOARD MEETING DATE: August 25, 2015

DATE: July 17, 2015
TO: Board of County Commissioners
FROM: Vahid Behmaram, Water Management Planner Coordinator, Community Services Department, 954-4647, vbehmaram@washoecounty.us,
THROUGH: Dwayne Smith, P.E., Division Director, Engineering & Capital Projects, Community Services Department, 328-2043, desmith@washoecounty.us
SUBJECT: Approve a Water Rights Deed transferring 26.826 acre-feet of Thomas Creek water rights from Washoe County to South Reno Land Investors, LLC, A Nevada Limited Liability Company. (Commission District 2.)

SUMMARY

Washoe County is conveying portions of Orr Ditch Decree Claim #719, Application #84067 to South Reno Land Investors, LLC, A Nevada Limited Liability Company. These water rights were dedicated to Washoe County in support of Palisades Phase 1, a five lot residential subdivision recorded as Tract Map # 4796. This dedication of water rights was in accordance with Water Service Contribution Agreement between Washoe County and the Developers of this project approved by the Board of County Commissioners (Board) on March 27, 2007.

Washoe County Strategic Objective supported by this item: Proactive economic development and diversification.

PREVIOUS ACTION

The Board approved a Water Service Contribution Agreement on March 27, 2007. This agreement provided for the rights and obligations of the parties in finalizing the Palisades subdivision with 121 residential lots and common areas. The Parties to this agreement were, McCaffery Fine Homes, Ltd., Palisades Land Investors, LLC, Palisades Land Investors Phase 1, LLC and Washoe County.

BACKGROUND

In March 2007, Washoe County entered into a Water Service Contribution Agreement with McCaffery Fine Homes, Ltd., Palisades Land Investors, LLC, Palisades Land Investors Phase 1, LLC, in support of residential development within the South Truckee Meadows. The agreement provided for developer dedication of tributary creek water rights from select creeks in furtherance of the South Truckee Meadows Facility Plan adopted in August 2002. In June 2007, Tract Map #4796 was recorded creating 5 final residential lots within the tentative subdivision boundary. However, due to the economic

AGENDA ITEM # 5.F.1.

downturn in the housing market, this project and its five lots were never built. Following foreclosure proceedings, and passage of time, the current owners, South Reno Land Investors, LLC, A Nevada Limited Liability Company reversed this process and recorded Reversion Tract Map 5047, eliminating the five residential lots. The water rights contained in the attached water rights deed are those water rights dedicated in accordance with the agreement in support of the creation of the five-lot subdivision. Furthermore, with the merger of water utility functions of Washoe County and Truckee Meadows Water Authority, there is no need for Washoe County to retain these particular water rights, and the attached deed will re-convey the water rights to the rightful owners.

FISCAL IMPACT

There is no fiscal impact associated with execution of the Water Rights Deed.

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the Water Rights Deed transferring 26.826 acre-feet of Thomas Creek water rights from Washoe County to South Reno Land Investors, LLC, A Nevada Limited Liability Company.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve the Water Rights Deed transferring 26.826 acre-feet of Thomas Creek water rights from Washoe County to South Reno Land Investors, LLC, A Nevada Limited Liability Company."

Attachments: Copy of the Reversion Tract Map # 5047
Water Rights Deed

No APN
When recorded, return to:
South Reno Land Investors, LLC
940 Emmett Avenue, Suite 200
Belmont, CA 94002

WATER RIGHTS DEED

WASHOE COUNTY, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys to **South Reno Land Investors, LLC, A Nevada Limited Liability Company** as GRANTEE, the real property consisting of water rights described as follows:

A portion of Orr Ditch Decree Claim # 719 as changed by Application 84067, consisting of 26.826 acre-feet per year along with a pro-rata share of the diversion rate.

GRANTOR:
WASHOE COUNTY
A political subdivision of the State of Nevada

By: _____
Marsha Berkbigler, Chair
Washoe County Commission

Date: _____

Attest:

By: _____
Nancy Parent, County Clerk

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On this _ day of _____, 2015, before me, a Notary Public, personally appeared **Marsha Berkbigler**, personally known to me to be the **Chair of the Washoe County Commission**, who acknowledged to me that she executed the foregoing document.

Notary Public
My Commission expires: _____

9664

PALISADES PHASE 1A

OWNER'S CERTIFICATE:
 I, the undersigned, being the owner of the above described premises, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

WALTER W. WILSON
 REAL ESTATE BROKER
 3-21-12

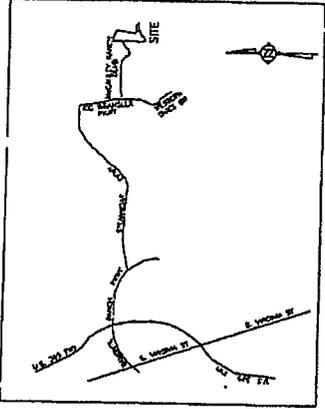
ACKNOWLEDGMENT:
 I, the undersigned, being the owner of the above described premises, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

SECURITY INTEREST HOLDER'S CERTIFICATE:
 I, the undersigned, being the holder of a security interest in the above described premises, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

SECURITY INTEREST HOLDER'S CERTIFICATE:
 I, the undersigned, being the holder of a security interest in the above described premises, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

TITLE COMPANY CERTIFICATE:
 I, the undersigned, being the title company, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

UTILITY COMPANIES' CERTIFICATE:
 I, the undersigned, being the utility companies, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.



VENUITY MAP NOT TO SCALE

TAX CERTIFICATE:
 I, the undersigned, being the tax collector, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

SURVEYOR'S CERTIFICATE:
 I, the undersigned, being the surveyor, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.



DISTRICT BOARD OF HEALTH CERTIFICATE:
 I, the undersigned, being the health officer, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

DIVISION OF WATER RESOURCES CERTIFICATE:
 I, the undersigned, being the water resources officer, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

REND CITY PLANNING CERTIFICATE:
 I, the undersigned, being the city planning officer, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

CITY ENGINEER'S CERTIFICATE:
 I, the undersigned, being the city engineer, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.



CITY CERTIFICATE:
 I, the undersigned, being the city official, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

WATER RIGHT DEDICATION CERTIFICATE:
 I, the undersigned, being the water right holder, do hereby certify that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended, and that the same are being offered for sale in accordance with the provisions of the Palisades Act, Chapter 100 of the Laws of 1910, as amended.

OFFICIAL SEAL OF PALISADES PHASE 1A
 A portion of parcel 1-2 of parcel map no. 447
 THE DISTRICT OF COLUMBIA
 DEPARTMENT OF THE DISTRICT OF COLUMBIA
 DIVISION OF WATER RESOURCES
 1100 K STREET, N.W.
 WASHINGTON, D.C. 20004
 RECEIVED
 11/1/12

Subdivision Tract Map 447c

COPIES OF THIS MAP SHOULD BE EXAMINED FOR ANY CLERICAL OR OTHER CHANGES TO THIS MAP

